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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11	SCOTT K. KING,)	Case No. EDCV 08-563 CAS(JC)
12	Petitioner,)	
13	v.)	(PROPOSED) ORDER ADOPTING
14	DERWAL ADAMS,)	FINDINGS, CONCLUSIONS, AND
15	Respondent.)	RECOMMENDATIONS OF
16)	UNITED STATES MAGISTRATE
)	JUDGE

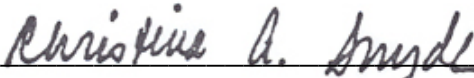
17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of
18 Habeas Corpus by a Person in State Custody (the "Petition"), all of the records
19 herein, and the attached Report and Recommendation of United States Magistrate
20 Judge. The Court approves and adopts the United States Magistrate Judge's
21 Report and Recommendation.

22 IT IS HEREBY ORDERED that: (1) Respondent's Motion to Dismiss is
23 denied to the extent it seeks dismissal of the Petition with prejudice based upon a
24 statute of limitations bar; (2) Respondent's Motion to Dismiss is granted to the
25 extent it seeks dismissal of the Petition without prejudice based upon petitioner's
26 failure to exhaust his claims; (3) Petitioner's Motion to Stay is denied; and
27 (4) Judgment be entered denying the Petition and dismissing this action without
28 prejudice.

1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 United States Magistrate Judge's Report and Recommendation, and the Judgment
3 herein on Petitioner and on counsel for Respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: December 16, 2008

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9 HONORABLE CHRISTINA A. SNYDER
10 UNITED STATES DISTRICT JUDGE
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